

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
TRENTON VICINAGE**

RECEIVED

JUL 22 2024

MYA MARY AGNITA HOIST
Plaintiff

V.

ATHENA BITCOIN ATM
Defendant

AT 8:30 _____ M
CLERK, U.S. DISTRICT COURT - DNJ

CASE NO.: 3:23-CV-21905-RK-

JUDGE ROBERT KIRSCH, U

AMENDED COMPLAINT

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TO: JUDGE ROBERT KIRSCH U.S.D.J.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY - TRENTON VICINAGE
CLARKSON S. FISHER BUILDING & U.S. COURTHOUSE
402 EAST STATE STREET, COURTROOM 4E
TRENTON STATEMENT, NEW JERSEY 08608**

I thank you for all your due consideration towards me as a pro-se Plaintiff and allowing me to Amend my complaint after the dismissal of the N.J. Department of the Treasury Motion to Dismiss due to Immunity. Being a pro-se filer of my complaint I may have erred by making the government agencies defendants of my case, whereas I really was seeking them as willing partners in correcting, finding, stopping, and prosecuting the guilty that scammed me, and maybe many, many others. And of cause, I was interested in having my money restored to me from Athena Bitcoin ATM. The money was deposited into their machine and at the onset I attempted to retrieve it by having Princeton Police Department impound it much as was done in the McLennan County with the Luz Vending (Bitcoin Depot) Case by Sheriff McNamara (1), to no avail on their part. They were included as defendants due to that involvement. The defendant government agencies N.J. Department of Treasury, and United States Marshall Service were included as defendants due to the scammers use of their ID's, to which I wished they would be appalled enough to join in finding, stopping, prosecuting, and

restoring my money. That being fruitless, I again, thank you for the opportunity to Amend my Complaint with Antha Bitcoin ATM alone as Defendant! The fact is the ATM Bitcoin Machine that the cash money was deposited in, was the Athena Bitcoin ATM located at 3732 Quakerbridge Rd., Hamilton Township, New jersey.

- (1) The case between Texas Sheriff Parnell McNamara and Bitcoin Depot revolves around the wrongful seizure of The \$15,000 from a Bitcoin ATM. The funds were taken after an 82-year-old woman was scammed into depositing the money following a ransomware attack. Sheriff McNamara impounded the machine and returned the money to the women.

I. Parties to this Complaint

A. The plaintiff

Mya M.A. Hoist
630 Franklin Blvd. Apt. 214
Somerset, N.J. 08873
Tel. 732-395-0129
Email: myahoist@hotmail.com

B. The Defendant

Athena Bitcoin ATM
200 E. Main Street
Ville Platte, LA 70586
Tel. 312-690-4466
<https://athenabitcoin.com/contact-us/>

C. Innocent Government Agency

U.S. Marshall Service
N.J Department of the Treasury
Princeton N.J. Police

D. Authority Department Reported to:

Edison N.J. Police Department
Princeton Federal Credit Union
Federal Bureau of Investigation

II. Basis for Jurisdiction

I believe Federal Jurisdiction is appropriate due to Athena Bitcoin operating throughout America. It is a Federal Jurisdiction, due to fraud, involving significant amounts of money and crosses state and nations borders. Consumer Protection Laws are relevant to jurisdiction. Some states have specific regulations related to cryptocurrency and ATM fraud. This Lawsuit involves Criminal activity (e.g., intentional fraud), that has been reported to Law enforcement. Call spoofing was used to deliberately falsify the information transmitted to myself from Governmental Agencies caller ID displays, in order to deceive and steal money from me, the Plaintiff.

III. Statement of Claim**CHAIN OF EVENTS**

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- **At 12:19 PM, I received a call from a woman claiming to be a part of the US Border Control Marshall by the name of Fedora Campbell. She claimed that the Border Control intercepted a package under my name and NJ address containing fake IDs, documents, etc.**
- **At 12:51, She transferred me to the NJ Department of Treasury to a man under the name of William Wayne**
- **William Wayne told me I had two options to clear my name is to either surrender to an investigation and risk my bank accounts being closed until the investigation is cleared or follow a "ADR" procedure (Alternative dispute resolution) by doing an online procedure**
- **I was told to go to my bank, withdraw 80% of my money in cash, receive a proper receipt for "evidence" for the NJ Department of Treasury. Then I would have to go to a government-approved machine and deposit one bill at a time. Once that was completed, FBI officers would come to my address and clear me of the investigation. I was also told to stay on the phone with him and if I got anyone else involved, then they would have to seize those people's accounts as well**
- **Sometime around 1-2 pm, I went to Princeton Federal Credit Union and withdrew \$9,500 in cash. The woman at the bank teller didn't question why I was taking the man. The William Wayne officer, told me that if the teller had asked why I'm taking the money, I need to lie**

- William Wayne told me a location to go to a government-approved machine. The Original location would have been 148 Nassau Street, Princeton NJ 08542. However, I was told it wasn't working and recommended to attend somewhere else
- The new location was at 3732 Quakerbridge Road Hamilton Township
- When I arrived there, I was told that the US Government would call me to confirm if I had arrived. At 3:10 PM, I received a phone call from the US Government based on instructions.
- I was told that when doing the Athena Bitcoin machine I will receive a phone number from the machine with a QR code showing where the money is stored. I was also told that once I insert the cash in the machine I should take a photo of the receipt and send the photo of the receipt to the phone number (which was from the Athena Bitcoin machine showing the QR code).
- After I sent t
- he photo, the woman under the US Government hung up.
- William Wayne recalled me around 3:30 pm saying that I was cleared from the investigation and that I should be hearing from the officers soon in-person, including him, at my NJ address
- I returned home around 5. William Wayne told me that the officers should show up around 5:30, but when that time passed, I realized I had been scammed.
- I recalled the number that the scammers had used and it directed me to the official numbers used by the NJ Department of Treasury and the FBI. When calling the FBI, the agent told me that I had been scammed.
- 6:42 PM, I received a call claiming that they are from the US Department of Treasury. That person went by the name of Eric Brown (or the name that I had written). By then, I knew this is a scam. Eric Brown told me I need to take out all the money or else I will be jailed. He threatened I will be arrested, but I didn't believe him. I hung up and he called again but I ignored it.
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- **CULPABILITY OF DEFENDENTS**

The Culpability of the Defendant is due to whether "responsibility for wrongdoing or failure".

Athena Bitcoin ATM

Athena Bitcoin ATM was mainly responsible, for its ATM was used in the receivership of the CASH in the crime. This, despite numerous reporting's of "Crypto Scams". Due diligence was lacking allowing fraudsters to use their ATM for Fraudulent means.

CULABILITY OF GOVERNMENT AGENCIES

The Culpability of the Government Agencies is whether they share responsibility due to negligence or lack of oversight on their part.

N.J. Department of Treasury

Due diligence was lacking allowing fraudsters to use the Departments name and telephone number. Allowing fraudsters to use them for fraudulent means.

U.S. Marshalls Service

Due diligence was lacking allowing impersonators to use the U.S. Marshalls Service for fraudulent means.

Princeton Police Department

Due to the Princeton Police Department officers lack of acceding to the Plaintiff request to impound the ATM to retrieve the CASH from it, because of the commission of a crime it allowed for the trail to go cold, sort of speak.

Athena Bitcoin ATM has been used in the commission of Whether:

- 1 - Conspiracy to Commit Wire Fraud (18 U.S.C. § 1349)**
- 2 - Wire Fraud 23 24 (18 U.S.C. § 1343)**
- 3 - Operation of an Unlicensed Money Transmitting Business 2 (18 U.S.C. §§ 1960, 2)**
- 4 - Money Laundering Conspiracy 15 16 (18 U.S.C. § 1956(h))**
- 5. – Electronic Fund Transfer Act**
- 6 _ U.S. Federal Laws regarding ATMs.**
- 7. Title 18, U.S.C., Sections 981 (a)(1)(c). 982 (a)(2)(A), and Title 28, U.S.C. Section 2461(c)**
- 8.- 42 U.S.C. Section 1983**

Due to the unlawful fraudulent use of Athena Bitcoin ATM, the Plaintiff, Mya M.A. Hoist, became the unwitting victim and has been threatened and traumatized.

IV. Relief

FORFEITURE ALLEGATIONS 5 (18 U.S.C. § 982)

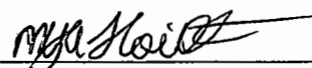
Plaintiff shall be entitled to forfeited CASH up to the value of the afore-described CASH pursuant to Title 18, United States Code, Section 982(a), 5 and Title 28, United States Code, Section 2461(c).

In the event that any of the CASH described above, as a result of any act or omission of defendant cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other CASH which cannot be divided without difficulty, the Plaintiff Mya M.A. Hoist, shall be entitled to her \$9000 forfeited CASH up to the value of the afore-described CASH pursuant to Title 18, United States Code, Section 982(a), 5 and Title 28, United States Code, Section 2461(c), along with Pain and Suffering, and Emotional Distress.

Certification and Closing

I would like to provide the clerk's Office with my change of address where future related case papers may be served. I understand that my failure to keep my current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 7/22/24

Signature of Plaintiff 
Printed Name of Plaintiff Mya Hoist